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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 **STATE OF CALIFORNIA, STATE OF**
15 **COLORADO, STATE OF DELAWARE,**
16 **COMMONWEALTH OF**
17 **MASSACHUSETTS, STATE OF NEW**
18 **JERSEY, STATE OF NEW MEXICO,**
STATE OF NEW YORK, STATE OF
OREGON, STATE OF RHODE ISLAND,
STATE OF VERMONT, and STATE OF
WASHINGTON,

19 Plaintiffs,

20 v.

21 **UNITED STATES OF AMERICA, U.S.**
22 **ENVIRONMENTAL PROTECTION**
23 **AGENCY, LEE ZELDIN,** in his official
24 capacity as Administrator of the U.S.
Environmental Protection Agency, and
DONALD J. TRUMP, in his official capacity
as President of the United States,

25 Defendants.

Case No. 4:25-cv-04966-HSG

**JOINT STIPULATION AND
ORDER TO EXTEND FEDERAL
DEFENDANTS' DEADLINE TO
ANSWER OR OTHERWISE RESPOND
TO THE COMPLAINT AND THE
COURT'S INITIAL CASE
MANAGEMENT DEADLINES**

(Administrative Procedure Act,
5 U.S.C. § 701 *et seq.*; 5 U.S.C. § 801 *et seq.*)

1 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, and this Court's Standing Orders,
2 Plaintiffs State of California et al. and Defendants United States et al. (hereinafter "Federal
3 Defendants"), acting by and through their respective counsel, stipulate and respectfully submit as
4 follows:

5 WHEREAS, Plaintiffs filed their complaint on June 12, 2025, ECF No. 1;

6 WHEREAS, Federal Defendants' deadline to answer or otherwise respond to Plaintiffs'
7 complaint is August 18, 2025, Fed. R. Civ. P. 12(a)(2);

8 WHEREAS, Zero Emission Transportation Association ("ZETA") filed a motion to
9 intervene as a plaintiff and a proposed complaint-in-intervention on July 25, 2025, ECF No. 43,
10 and no party opposes the motion, ECF No. 47;

11 WHEREAS, the Court has not yet ruled on ZETA's motion to intervene;

12 WHEREAS, Plaintiffs and Federal Defendants have met and conferred and agree that a
13 short extension of Federal Defendants' deadline to answer or otherwise respond to Plaintiffs'
14 complaint is warranted;

15 WHEREAS, Plaintiffs and Federal Defendants further agree that, should the Court grant
16 ZETA's motion to intervene, aligning Federal Defendants' deadlines to respond to both Plaintiffs'
17 and ZETA's complaints would promote efficiency and judicial economy;

18 WHEREAS, counsel for Plaintiffs has conferred with counsel for ZETA about this proposal
19 and ZETA consents to the terms of this stipulation regarding the response to its complaint in the
20 event that ZETA's motion to intervene is granted;

21 WHEREAS, Plaintiffs and Federal Defendants propose continuing the deadlines set in the
22 Court's initial case management order, including the case management conference set for
23 September 16, 2025 at 2:00 pm, ECF No. 8, to accommodate the requested extension and
24 alignment of response dates;

25 WHEREAS, two groups of organizations moved to intervene as defendants and both
26 motions are set to be heard on October 23, 2025, ECF Nos. 49, 61;

27 WHEREAS, consistent with Local Rule 6-1(b), this stipulation is being filed with the Court
28 no later than 14 days before the September 16 case management conference; and

WHEREAS, the parties have not previously requested any time modifications in this case;
NOW, THEREFORE, it is hereby stipulated, subject to this Court's approval, that:

1. Federal Defendants shall respond to Plaintiffs' complaint no later than September 19, 2025;

2. In the event the Court grants ZETA's motion to intervene on or before September 19, 2025, Federal Defendants shall respond to ZETA's complaint no later than September 19, 2025. However, if the Court grants ZETA's motion to intervene after September 19, 2025, and Federal Defendants have not yet responded to ZETA's complaint, the deadline to respond to ZETA's complaint shall be governed by the Court's order on ZETA's motion to intervene;

3. The deadline to file ADR Certification and to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan is stayed pending further order of this Court;

4. The deadline to make initial disclosures and file a Joint Case Management Statement is stayed pending further order of this Court; and

5. The Initial Case Management Conference is stayed pending further order of this Court.

IT IS SO STIPULATED.

Dated: August 13, 2025

Respectfully submitted,

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Pursuant to Local Rule 5-1(i), I attest that all signatories to this document concurred in its filing.


/s/ M. Elaine Meckenstock

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Counsel for Plaintiff State of California

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/14/2025


HON. HAYWOOD S. GILLIAM, JR.
U.S. District Judge